

Appl. No. 09/932,891
Amdt. Dated September 23, 2004
Reply to Office Action of June 23, 2004

REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 1-5 and 7-27 remain in the application. Claims 1, 7, 8, 9, 15, 16, and 17 have been amended. Claim 6 has been canceled.

Specifically, claims 1, 15, and 16 have been amended to include, inter alia, the allowable feature of "a detector for detecting the switching speed of said transistors, said detector being connected to said operational amplifier" from dependent claim 6, which has been canceled. Claims 7-10 have been revised to depend from claim 1.

Applicants appreciatively acknowledge the Examiner's statement that claims 6-10 "would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims."

Claims 1, 15, and 16 have been rewritten as stated above to incorporate the feature from claim 6 that the Examiner indicated as being allowable. It is noted that in item 38 on page 13 of the above-identified Office Action, the Examiner stated the reasons for the indication of allowable subject

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matter. The Examiner referred to allowable limitations in claims 5 and 17, respectively. However, the limitations stated are contained in claims 6 and 23, respectively. The Examiner inadvertently referred to the wrong claims. Accordingly, applicants have used the allowable limitations from claim 6 in amending the independent claims 1, 15, and 16.

In item 2 on page 2 of the above-identified Office Action, the Examiner objected to claims 1 and 15-16 because of certain informalities. The language in claims 1, 15, and 16 has been clarified to recite the clock generator and the non-overlapping on-phases of the second switching clock signal in accordance with the instant specification. It is believed that the changes overcome the Examiner's objections. Also, the Examiner's suggested corrections have been made to claim 16.

In item 8 on page 5 of the above-identified Office Action, claims 17-21 and 24 have been rejected as being anticipated by Baschirotto et al. (U.S. 5,745,002) (herein "Baschirotto") under 35 U.S.C. § 102(b).

The rejection has been noted and the claims have been amended in an effort to even more clearly define the invention of the instant application. Support for the changes is found on page

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23, lines 14-23 of the specification of the instant application.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful. Claim 17 calls for, *inter alia*, a method for clocking successive operational amplifier stages constructed in switched op-amp technology, by:

generating at least two non-overlapping switching-clock signals;

switching a first operational amplifier on and off with a first signal of the two switching-clock signals;

switching a second operational amplifier on and off with a second signal of the switching-clock signals; and

varying switching-clock phases of the first and second signals in which the operational amplifiers are switched off.

(emphasis added)

Baschirotto discloses a low voltage switched capacitance circuit using switched operational amplifiers. The delay described in the reference is a delay of switching signals of

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the input signal (F1, F2 resp. to S3,S4) with respect to switching signals of the power supply of the operational amplifiers (F1a, F2a resp. A1, A2). The feature of "varying switching-clock phases of the first and second signals in which the operational amplifiers are switched off" in claim 17 recites a delay between two switching signals for the power supply of two distinct operational amplifiers. Further, Baschirotto does not show or suggest introducing such delay or phase variation. The phase variation is advantageous in that it reduces the time during which the operational amplifiers are turned on and therefore reduces overall power consumption, which is not disclosed or obtained by the prior art reference.

Clearly, Baschirotto does not show "varying switching-clock phases of the first and second signals in which the operational amplifiers are switched off" as recited in claim 17 of the instant application.

In item 16 on page 7 of the above-identified Office Action, claims 1-5, 11-12, and 15-16 have been rejected as being unpatentable over Baschirotto in view of Fletcher (U.S. 6,392,466) under 35 U.S.C. § 103(a).

As discussed above, claims 1, 15, and 16 now include the limitation "a detector for detecting the switching speed of

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said transistors, said detector being connected to said operational amplifier" that the Examiner stated was allowable

and claims 2-5, 7-11 and 11-12 ultimately depend on claim 1.

In view of the foregoing, these claims are deemed allowable and no discussion of the references is necessary at this time.

In item 26 on page 10 of the above-identified Office Action, claims 13-14 have been rejected as being unpatentable over Baschiroto in view of Larson (U.S. 4,951,303) under 35 U.S.C. § 103(a).

Claims 13 and 14 ultimately depend on claim 1 and therefore, are considered allowable for the same reasons discussed above relative to claim 1. Therefore, no further discussion of the references is deemed necessary at this time.

In item 31 on page 11 of the above-identified Office Action, claims 25-27 have been rejected as being unpatentable over Baschiroto in view of Larson (U.S. 4,951,303) under 35 U.S.C. § 103(a).

The previous discussion of Baschiroto is equally applicable in this rejection.

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Larson discloses a high speed digital programmable frequency divider and does not overcome the deficiencies of the primary reference.

Claims 25-27 depend from claim 17 and are deemed allowable for the same reason discussed above relative to claim 17.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1, 15, 16, or 17.

Claims 1, 15, 16, and 17, are, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claim 1, 15, 16, or 17.

Applicants appreciatively acknowledge the Examiner's statement that claims 22-23 "would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." In view of the foregoing, the claims are believed to be patentable and have not been rewritten at this time.

In view of the foregoing, reconsideration and allowance of claims 1-5 and 7-27 are solicited.

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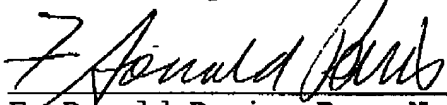
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In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made.

Please charge any other fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,



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FDP/tk

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